

United States
Office of Government Ethics

2004 AGENCY ETHICS PROGRAM QUESTIONNAIRE

Your response to this questionnaire will constitute your annual report for 2004. Section 402(e)(1) of the Ethics in Government Act of 1978, as amended, requires that executive agencies submit an annual report to the Office of Government Ethics (OGE) concerning certain aspects of their ethics programs. This annual report shall be filed with OGE on or before **February 1** of each year (5 C.F.R. § 2638.602(a)).

Please respond to each question as completely and accurately as possible. Use an [X] where appropriate. You may attach additional sheets as necessary. Throughout the questionnaire, your responses should reflect the calendar year (i.e., 1/1/04 through 12/31/04) except where specified.

If you have any questions, contact Teresa Weakley at 202-482-9283.

DEADLINE: FEBRUARY 1, 2005

PART 1. ORGANIZATION/RESOURCES

1. Agency: _____
2. Number of full-time agency employees as of December 31, 2004 (*include employees detailed to another agency*): _____

Number of special Government employees¹ (SGE) as of December 31, 2004: _____

Number of IPAs² (Intergovernmental Personnel Act) as of December 31, 2004: _____
3. Name and title of the Designated Agency Ethics Official (DAEO):

¹ For purposes of this questionnaire, the term "special Government employee" (SGE) means an officer or employee who is retained, designated, appointed, or employed to perform temporary duties either on a full-time or intermittent basis, with or without compensation, for not more than 130 days during any period of 365 consecutive days. In addition to these officers and employees, the term includes:

- Part-time United States commissioners
- Part-time United States magistrates
- Independent counsels appointed under chapter 40 of title 28 and any person appointed by those independent counsels under section 594© of title 28, regardless of the number of days of appointment for either of these positions
- Reserve officers of the Armed Forces and officers of the National Guard of the United States (unless otherwise officers or employees of the United States) while on active duty solely for training or serving involuntarily

The terms "officer or employee" and "SGE" shall not include enlisted members of the Armed Forces.

² The term "IPA" refers to employees appointed or detailed to positions under the Intergovernmental Personnel Act (5 U.S.C. §§ 3371-3376. Include the number of incoming appointments and outgoing details.

Identify the length of time the DAEO has held this position:

- _____ 10 or more years
- _____ 5 – 9 years
- _____ 1 - 4 years
- _____ Less than 1 year
- _____ Position vacant

Approximate percent of the DAEO's time spent on ethics: _____%

4. Name and title of the Alternate DAEO:

Identify the length of time the Alternate DAEO has held this position:

- _____ 10 or more years
- _____ 5 – 9 years
- _____ 1 - 4 years
- _____ Less than 1 year
- _____ Position vacant

Approximate percent of the Alternate DAEO's time spent on ethics: _____%

5. Do you have designated Deputy DAEO(s)? ____ Yes ____ No

Name(s) and title(s) of designated Deputy DAEO(s):

6. Does your agency have regional or field office ethics officials? ____ Yes ____ No

Functional locations(s) of regional/field ethics officials. Check all that apply.

- _____ Legal office
- _____ Human Resources office
- _____ Employee Relations office
- _____ Other (specify) _____

7. Total number of ethics officials who worked in the ethics program in 2004:

	Worked full-time on ethics	Worked part-time on ethics
HQ Ethics Officials		
Regional or Field Office Ethics Officials		

8. Is the ethics program a separate budgeted item? ____ Yes ____ No

PART 2. PROGRAM ADMINISTRATION

1. Use the following scale to rate the amount of time you spend to administer each item.
Time Spent Scale: 1= No time 2=Limited amount of time 3=Moderate amount of time 4=Considerable amount of time 5=Extreme amount of time

	Time Spent				
Public financial disclosure system	1	2	3	4	5
Confidential financial disclosure system	1	2	3	4	5
Outside activity approval system	1	2	3	4	5
Written opinions and counseling	1	2	3	4	5
Education and training	1	2	3	4	5
Disciplinary process for violations	1	2	3	4	5
Special Government employees' activities	1	2	3	4	5
Developing information technology applications for any aspect of the ethics program	1	2	3	4	5

2. Indicate which ethics program areas(s) your agency contracted out (*outside of the Government*) in 2004. Check all that apply.

- ☐ Initial ethics orientation
☐ Annual ethics training
☐ Financial disclosure review
☐ Internal program evaluation
☐ Advice and counseling
☐ Program administration (tracking systems, databases etc.)
☐ Other (specify) _____
☐ None

Provide a brief description and the outcome (optional): _____

3. Did your agency perform an internal ethics program review (*formal self evaluation, IG review, etc.*) in 2004? ____ Yes ____ No

What organization within your agency conducted the review?

- ☐ Agency Ethics Official(s)
☐ Inspector General's Office
☐ General Counsel's Office
☐ Other (specify) _____

Were you provided feedback from the review?

- ☐ Yes, written
☐ Yes, verbal
☐ No feedback provided

PART 3. EDUCATION AND TRAINING

1. Number of employees ***required to receive*** initial ethics orientation: _____

Number of employees who ***actually received*** initial ethics orientation: _____

How often do you provide initial ethics orientation?

- _____ Once a week
- _____ Every two weeks
- _____ Every ninety days
- _____ Other (specify) _____

2. Number of employees who received annual ethics training (include all types of training):

	<i>Required</i> to receive annual ethics training	<i>Actually</i> received annual ethics training
SF 278 filers (PAS)		
SF 278 filers (non-PAS)		
OGE Form 450 filers		
Others		

If the number of employees *required* to receive annual training is different than the number of employees that *actually* received annual training, provide a brief explanation.

Number of PAS officials who received one-on-one annual ethics training: _____

How do you ensure that your required employees receive annual ethics training? Check all that apply.

- _____ Attendance rosters
- _____ Training evaluations
- _____ Training management system
- _____ Other (specify) _____

3. Identify the topical areas in which annual ethics training was provided:

- _____ 14 Principals of Ethical Conduct
- _____ Conflicting Financial Interests
- _____ Gifts
- _____ Post Employment
- _____ Impartiality
- _____ Seeking Employment
- _____ Misuse of Position
- _____ Hatch Act
- _____ Outside and Representational Activities
- _____ Other (specify) _____

4. What kinds of training methods and materials did you use for your training? Check all that apply.

- ☐ Written materials
☐ Copies of the Standards of Conduct and/or agency supplemental regulations
☐ Summaries of the Standards of Conduct
☐ Pamphlets/Brochures
☐ Newsletters
☐ Self-study manual
☐ Hypothetical case studies
☐ Videos
☐ ☐ OGE produced
☐ ☐ Agency produced
☐ Satellite/Videoconferencing
☐ Classroom instruction
☐ Individual briefings
☐ Computer/web-based training
☐ Other (specify) _____

PART 4. ETHICS OPINIONS, ADVICE AND COUNSELING

1. Use the following scale to rate the topics on the frequency with which you provided opinions, advice and counseling.
 Frequency Scale: 1= Not at all 2= Rarely 3= Periodically 4= Frequently 5= Very Frequently.

	Frequency				
Outside employment/activities	1	2	3	4	5
Post-employment restrictions	1	2	3	4	5
Conflicting financial interests	1	2	3	4	5
Awards	1	2	3	4	5
Impartiality in performance of official duties	1	2	3	4	5
Misuse of position, Government resources and information	1	2	3	4	5
Travel, subsistence, and related expenses from non-Federal sources	1	2	3	4	5
Gift acceptance, excluding awards and travel, subsistence, and related expenses from non-Federal sources	1	2	3	4	5

2. Who is authorized to provide written advice on standards of conduct and conflict of interest statutes? Check all that apply. **If the DAEO is the General Counsel, please mark DAEO.**

- ☐ DAEO/Alternate DAEO/Deputies/Ethics Officials
☐ General Counsel/Staff Attorneys
☐ Regional Counsels
☐ Supervisors
☐ Directors of Personnel/Staff
☐ Agency Head
☐ Other (specify) _____

3. How does your DAEO or HQ ethics office ensure that accurate consistent opinions, advice and counsel are provided to employees? Check all that apply.

☐ Review all written opinions
☐ Discuss verbal opinions prior to providing them to employees
☐ Review written opinions randomly
☐ Review ethics officials' phone logs
☐ Conduct periodic discussions with staff
☐ Offer training
☐ Other (specify) _____

PART 5. ENFORCEMENT OF STANDARDS OF ETHICAL CONDUCT, CRIMINAL AND CIVIL STATUTES

1. Report the number of disciplinary actions taken based wholly or in part upon violations of the standards of ethical conduct provisions (5 C.F.R. part 2635). For purposes of this question, disciplinary actions include removals, demotions, suspensions, and written reprimands or their equivalents. _____
2. Report the number of disciplinary actions taken based wholly or in part upon violations of the criminal conflict of interest statutes, 18 U.S.C. §§ 203, 205, 207, 208, and 209. For purposes of this question, disciplinary actions include removals, demotions, suspensions, and written reprimands or their equivalents. _____

Report the number of referrals of potential violations of the criminal conflict of interest statutes: _____

Which office(s) within your agency make referrals of potential violations of the criminal conflict of interest statutes to the Department of Justice, including offices of U.S. Attorneys? Check all that apply.

☐ DAEO (Ethics Officials)
☐ General Counsel
☐ Agency Head
☐ IG
☐ Other (specify) _____

Which office(s) are responsible for notifying OGE when a referral of a potential violation of the criminal conflict of interest statutes have been made to the Department of Justice, including the U.S. Attorneys? Check all that apply.

☐ DAEO (Ethics Officials)
☐ General Counsel
☐ Agency Head
☐ IG
☐ Other (specify) _____

PART 6. PUBLIC FINANCIAL DISCLOSURE

- Report the total number of public financial disclosure reports (SF 278) required to be filed in 2004, *excluding SGEs*, and the total number of reports actually filed. Derive totals for required new entrant/termination reports from the number of appointments to and the number of terminations from positions during 2004. Some totals may include late filings actually received in 2005.

	Nominee/ New Entrant		Annual		Termination		Combination ³		TOTAL	
	required	filed	required	filed	required	filed	required	filed	required	filed
PAS ⁴										
Non-Career SES ⁵										
Career SES ⁵										
Schedule C										
Other ⁶										
TOTAL										

- Does your agency require an intermediate review by someone other than an ethics official of all SF 278s? ____ Yes ____ No
- Total number of Schedule C employees exempted from the filing requirement by OGE: ____
- Number of filers who requested filing extensions: ____
Number of filers who were granted filing extensions: ____
- Number of filers who requested waivers of the late filing fee: ____
Number of filers who were granted waivers of the late filing fee: ____
- Number of filers who paid the late filing fee: ____
- Number of requests your agency received for public release of 278s: ____
- Number of individual SF 278 reports requested to be released: ____
Number of PAS SF 278 reports requested: ____
Number of non-career SES SF 278 reports requested: ____
Number of career SES SF 278 reports requested: ____
- Number of public financial disclosure filers who took specific corrective or remedial (nondisciplinary) actions in 2004: ____

³ Includes reports filed to satisfy both annual and termination requirements, as well as new entrant and termination requirements.

⁴ Presidential appointees confirmed by the Senate.

⁵ Senior Executive Service, Senior Foreign Service, Senior Cryptologic Service, Defense Intelligence Senior Executive Service, etc.

⁶ Includes members of the Uniformed Services, Administrative Law Judges, Senior Level employees (SES Equivalent), etc.

10. Number of 18 U.S.C. § 208(b)(1) waivers granted to public financial disclosure filers:

PART 7. CONFIDENTIAL FINANCIAL DISCLOSURE

1. Total number of confidential financial disclosure reports (OGE form 450 and alternative approved form) *required* to be filed by permanent full-time employees in 2004, ***excluding SGEs***: _____

Number of OGE form 450s, OGE form 450As, or alternate OGE approved forms *actually* filed, ***excluding SGEs***:

Number actually filed	
OGE 450	
OGE 450A	
Alternate OGE approved form	

2. Does your agency require an intermediate review by someone other than an ethics official of all OGE form 450s? ____ Yes ____ No
3. Number of confidential financial disclosure filers who took specific corrective or remedial (nondisciplinary) actions in 2004: _____
4. Number of 18 U.S.C. § 208(b)(1) waivers granted to confidential financial disclosure filers:

PART 8. ADVISORY COMMITTEES/SPECIAL GOVERNMENT EMPLOYEES⁵

1. Number of advisory committees (*do not include Federal Advisory Committees (FACA)*):

Number of advisory committee members (*do not include FACA members*): _____

2. Number of FACA advisory committees: _____

Number of FACA advisory committee members: _____

3. Does your agency provide ethics program services for any boards or commissions that are independent of your agency?

_____ Yes (please provide the names of the boards and commissions)

_____ No

4. Number of SGEs who served as advisory committee members or as experts/consultants and who were required to file financial disclosure reports in 2004. Include the total number who actually filed.

	Confidential Reports		Public Reports	
	Required	Filed	Required	Filed
Advisory Committee Members (FACA & non-FACA)				
Experts/Consultants				
Board Members				
Commissioners				
Other (specify):				
TOTAL				

5. Number of SGE filers who took specific corrective or remedial (nondisciplinary) actions in 2004. _____
6. Number of § 208(b)(1) waivers granted to SGEs? _____
- Number of § 208(b)(3) waivers granted to SGEs? _____
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